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ANIMAL ISSUES TASK FORCE

Monday, April 1, 2013

6:00 p.m.

4th Floor Conference Room – Busch Municipal Building

MEMBERS PRESENT: Mary Collette, Chairwoman; Carl Woodland, Janet Martin, Gwen Evans, Carrie Galvan, Kathleen Cowens, Karenanne Fitzsimmons, Dr. David Weddle, and Alicia Mathis.

MEMBERS

ABSENT: Dr. Rita Wittu, Christian Mechlin, and Cindy Larson.

Note: Christian Mechlin and Cindy Larson have resigned due to conflicts, and there are no replacements for these two vacancy positions at this time.

STAFF PRESENT: Clay Goddard, Karen Prescott, and Mike Brothers, Health Department; and Anita Baker Climer, City Clerk's Office.

GUESTS: Doug Burlison, General City Councilman.

Chairwoman Mary Collette called the meeting to order at approximately 6:30 p.m., and welcomed everyone. She noted that this is the 11th meeting of the Task Force.

Chairwoman Collette reported that Dr. Rita Wittu is unable to attend tonight's meeting due to a work related conflict.

The Task Force briefly reviewed the meeting minutes of March 4, 2013.

Chairwoman requested that the March 4, 2013 minutes on page 2 regarding the fourth paragraph down should be revised to read:

Ms. Martin noted that approval for Maddie's Fund has been previously reviewed, but lacking Humane Society data, there has not been vested interest to participate in the past, so hopefully, possible participation can be reconsidered.

Karenanne Fitzsimmons voiced no opposition to Chairwoman Collette's proposed revision, but requested that a time frame/date be also included.

Thus, the proposed revision should read:

Ms. Martin noted that approval for Maddie's Fund has been previously reviewed, but lacking Humane Society data in early 2011, there has not been vested interest to participate in the past, so hopefully, possible participation can be reconsidered.

Dr. David Weddle moved to approve the March 4, 2013 meeting minutes as revised.

Carl Woodland seconded the motion, and it was approved.

Chairwoman Collette inquired regarding Corrine Smith's interest in relations to coordinating volunteers and fundraising efforts with the City regarding the issue of animals.

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Karen Prescott, Administrator of Environmental Health - Health Department, briefly addressed that Ms. Smith would be “job shading” a spay/neuter outreach program representative/liaison in Kansas City, Missouri in the near future. She noted that Ms. Smith has been on vacation.

Chairwoman Collette noted that she would like Ms. Smith to attend an upcoming Task Force meeting.

Janet Martin noted that she sent Ms. Fitzsimmons some information regarding Maddie’s Fund for the Southwest Human Society’s Board of Directors to review.

Ms. Fitzsimmons informed the Task Force that she has provided some discussion/information to their Board of Directors for their review and consideration in the future; however, their Board has been dealing with some pending issues at this time.

Chairwoman Collette requested that Ms. Martin and Ms. Fitzsimmons please notify her when they would like Maddie’s Fund addressed during a future Task Force meeting

Ms. Martin briefly discussed that, apparently, Maddie’s Fund is not currently accepting applications at this time. She noted that she would contact Maddie’s Fund to see when applications may be possibly accepted in the future, and would report back to the Task Force.

Clay Goddard, Assistant Director - Health Department, informed the Task Force that per the Law Department, the opinion from 2009 in relations to pit bulls has not changed, and pit bull puppies would not be allowed to be rescued from the City’s Animal Shelter due to liability related issues/concerns. He briefly addressed that if the Task Force would like to have the possibility of pit bull puppies rescued from the Animal Shelter, the Task Force would have to recommend a possible change to the City’s ordinance, which would have to be reviewed/considered by the City Council’s Plans and Policies Committee.

Mr. Goddard noted that, apparently, the opinion from the Law Department is based upon a couple of legal cases, which he could forward to the Task Force for their review.

Carrie Galvan requested that an updated member listing be provided, since the Task Force has a couple of new members. *(Please refer to Exhibit A located within the City Clerk’s Office for additional information.)* Anita Baker Climer, City Clerk’s Office, affirmed.

Note: The above contact listing was sent via e-mail to the Task Force on April 2, 2013.

Ms. Baker Climer reminded the Task Force that per Sunshine Law, if members are e-mailing/sending information to several members to please copy the City Clerk’s Office, so a copy can be maintained in our office for archiving. She thanked the Task Force for their cooperation and assistance.

Ms. Galvan informed the Task Force that she e-mailed an article to Ms. Baker Climer before tonight’s meeting regarding an article entitled “The Case Against Dog Breed Discrimination by Homeowners’ Insurance Companies.” *(Please refer to Exhibit B located within the City Clerk’s Office for additional information.)*

Note: The above article was sent via e-mail to the Task Force on April 2, 2013.

The Task Force briefly reviewed the information from Ms. Galvan pertaining to dangerous dogs, and an article entitled “A New Day for Georgia’s Responsible Dog Owners,” which was e-mailed to the Task Force on March 4, 2013. *(Please refer to Exhibits C & D located within the City Clerk’s Office for additional information.)*

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Ms. Galvan briefly addressed the article entitled “The Case Against Dog Breed Discrimination by Homeowners’ Insurance Companies” (Exhibit B) with the Task Force. She explained that some insurance companies use/rely on testing called the Canine Good Citizen (CGC) test in relations to ranking dogs regarding the issue of insurance.

The Task Force and Mr. Goddard briefly discussed the issues of dogs, regulations, and insurance.

Following the discussion, Ms. Prescott gave a PowerPoint presentation entitled “Ordinances” in relations to Calgary and Omaha. *(Please refer to Exhibit E located within the City Clerk’s Office for additional information.)*

The following is an outline of the presentation:

- A. Comparison
- B. Demographics
- C. Origin of Ordinances
- D. Enforcement Proceedings
- E. Enforcement Results
- F. Penalties for Non-Compliance

Alicia Mathis arrived at approximately 7:10 p.m.

- G. Existing in Community
- H. Bite Reporting
- I. After the Bite
- J. Unintended Consequences
- K. Convictions
- L. Bill Duncan – Retired Program Manager for the Calgary Program

Ms. Prescott informed the Task Force that the City of Omaha imposed dangerous and potentially dangerous, “reckless owner” ordinance regulations as the result of a vicious attack on a two-year old and her mother which took the back half of the scalp off of the two-year old in 2008.

During the presentation, Ms. Prescott briefly referred to information pertaining to the City of Omaha, Nebraska’s dangerous dog ordinances, Omaha’s code regarding reckless owners, and Omaha’s code in relations to restraining dogs. *(Please refer to Exhibits F-H located within the City Clerk’s Office for additional information.)*

Note: The above information was e-mailed to the Task Force on April 2, 2013.

Mr. Goddard and Ms. Prescott briefly responded to questions posed by the Task Force.

In response to a question posed by Ms. Cowens, Ms. Prescott briefly reported that the issue of enforcement was only reviewed in relations to demographics.

In response to a question posed by Chairwoman Collette, Mr. Goddard briefly addressed that the issue of obtaining a court order is addressed within the City Code. Ms. Prescott expressed that a lot of investigation (i.e. statements and pictures) is conducted before a court order is obtained by the Health Department.

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In response to a question posed by Dr. Weddle, Ms. Prescott reported that a lien is not obtained by the City for the Health Department in “recouping” costs associated with kenneling/boarding a quarantined animal, such as a dangerous dog, whose owner does not reimburse the City at this time.

The Task Force, Mr. Goddard, and Ms. Prescott continued to discuss the issues of dogs and regulations.

Ms. Prescott briefly explained that per the City’s Prosecutor’s Office, an animal control officer does not have the jurisdiction to enter upon private property, unlike a police officer, at this time. She reported that if an animal control officer observes an animal related issue, they contact the police, who can enter upon private property if needed for probable cause associated with an animal (i.e. dangerous/vicious dog).

In response to another question posed by Chairwoman Collette, Ms. Prescott noted that both Calgary and Omaha have minor breed specific legislation, and that Omaha requires that the dogs be licensed and the dogs are required to be muzzled and on a leash while out in public.

Ms. Galvan briefly discussed that she does not feel that dogs should be muzzled all of the time while in public, because it interferes with their socialization skills.

In response to a question posed by Gwen Evans, Ms. Prescott briefly addressed that in relations to Omaha’s “reckless owner” regulations, several “strikes” (i.e. three) would have to be conducted before an owner is deemed “reckless” and have all pets removed and loses the ability to live with pets for four years. Apparently, Omaha has approximately 50 former owners with this title at this time.

During the discussion, Dr. Weddle briefly addressed that animal rabies vaccinations are not 100% guaranteed. He reported that usually rabies can be detected within 10 days after a bite occurs; however, he added that there is a documented case of an individual who was bitten approximately 22 years before experiencing signs of rabies. Dr. Weddle expressed that he feels the issue of quarantining an animal at home is a “joke,” because the animal should be observed by a professional.

Mr. Goddard noted that there was a recent rabies related death within the last month.

In response to a question posed by Ms. Cowens, Ms. Prescott reported per City regulations if a case is reported to the Health Department that an animal has bitten an individual, the animal, whether or not it has received its vaccinations, is required to be quarantined by the City for 10 days. She noted that physicians/hospitals are required to report incidences pertaining to individuals who come in for treatment in relations to an animal bite, to report the incident to the Health Department at this time.

Dr. Weddle commented that he feels the issue of mandatory differential licensure should be considered. He reported that he feels a new Animal Shelter facility is needed.

Ms. Galvan briefly discussed that she feels “gender” specific legislation should be considered versus breed specific.

The Task Force discussed the issue of breed specific legislation and dangerous/vicious dogs, as well as the issue of differential licensure.

Ms. Evans expressed that she believes that a mandatory license could pose an “unfair burden” to individuals who are already experiencing a fixed income and could not afford additional costs. She noted that she feels the number of animals each individual is allowed within the City should be reviewed.

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Mr. Goddard briefly explained that several communities have imposed licensure requirements regarding the issue of animals. He noted that he feels if licensure is considered, it will become a controversial topic within the Community.

Chairwoman Collette briefly voiced that she feels “clear cut criteria” is needed in relations to addressing the issue of animals within the City, as well as possibly “streamlining” the process. She expressed that she feels responsible pet ownership should also be encouraged within the Community.

The Task Force, Mr. Goddard, and Ms. Prescott continued to discuss the issues of dogs and regulations.

Chairwoman Collette briefly referred to information pertaining to Dog-Bite Statutes regarding various states. *(Please refer to Exhibit I located within the City Clerk’s Office for additional information.)*

Note: The above information was e-mailed to the Task Force on April 2, 2013.

Ms. Martin remarked that she feels the breed specific legislation should be removed, and the category should be broadened to include other classifications of dogs.

General Councilman Doug Burlison briefly made comments regarding the issue of possible pet licensing. He discussed that several decades ago, approximately in 1978, the City moved away from relying on property taxes to help fund City related issues to more sales tax based revenues.

Ms. Galvan briefly addressed that the Ian Dunbar bite assessment scale for assessing dog bites or “bite scale” takes some time to acquire and master.

In response to a question posed by Dr. Weddle, Ms. Fitzsimmons reported that the Southwest Humane Society has a low cost spay/neuter program, which has an income-based guideline, in relations to animals.

Ms. Cowens briefly explained that she would like the Task Force to review an article in relations to animal incident statistics from approximately September 1982 – January 2012 (thirty-year trend) from Animal People, which she will e-mail out in the near future.

During the discussion, the Task Force discussed forming a “workgroup” to review and discuss the issue of pit bulls and dangerous/vicious dogs, and to provide possible recommendations to the Task Force regarding the issue of animals, which may help “streamline” the process more efficiently and effectively in relations to animal control.

Per a consensus of the Task Force, the following individuals will serve on the “workgroup”: Chairwoman Mary Collette; Gwen Evans; Carrie Galvan; and staff member Karen Prescott. Mr. Goddard noted that he would like to be present during these meetings.

Per the request of Chairwoman Collette, Mr. Goddard noted that City staff would contact the program representative from Omaha, Nebraska, to see if he would be available to be conference in via phone for the “workgroup” meeting discussion.

Chairwoman Collette requested that these “workgroup” meetings be held before their next Task Force meeting.

The next meeting of the Task Force is scheduled for Monday, May 6, 2013 at 6:30 p.m. in the Busch Municipal Building.

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Ms. Prescott suggested that she feels an attorney from the Law Department should also be invited to participate regarding the upcoming “workgroup” meetings if available.

Mr. Goddard briefly referred to and discussed an e-mail from Sarah Kerner, Assistant City Attorney-Law Department, regarding the issue of the Hancock Amendment and pet licensure fees. *(Please refer to Exhibit J located within the City Clerk’s Office for additional information.)* He noted that per the Law Department, pet licensure fees would not be subject under the Hancock Amendment.

Chairwoman Collette noted that the Commercial Club of Springfield is conducting their 13th Season Opener on Saturday, April 27, 2013, from 7:30 a.m.-2:00 p.m. regarding their C-Street Market, which would include a Decades Vintage Car Show from 10:00 a.m. – 2:00 p.m. *(Please refer to Exhibit K located within the City Clerk’s Office for additional information.)*

Ms. Martin noted that she brought some information regarding Calgary’s Animal and Bylaw Services for those interested in taking a packet. *(Please refer to Exhibit L located within the City Clerk’s Office for additional information.)*

Following the discussion, the Task Force meeting was adjourned at approximately 8:00 p.m.